

§ 157.05

Coast Guard, 2100 2nd St. SW., Stop 7581, Washington, DC 20593-7581.

(Reporting and Recordkeeping requirements approved by the Office of Management and Budget under control number 1625-0036)

[CGD 82-28, 50 FR 11625, and 11630, Mar. 22, 1985, as amended by CGD 88-052, 53 FR 25122, July 1, 1988; CGD 96-026, 61 FR 33668, June 28, 1996; USCG-2000-7641, 66 FR 55573, Nov. 2, 2001; USCG-2006-25150, 71 FR 39210, July 12, 2006; USCG-2010-0351, 75 FR 36286, June 25, 2010]

§ 157.05 Performing calculations for this part.

In this part, unless the context requires otherwise:

(a) Formulas are in the International System of Units (SI);

(b) Values used in those formulas must be in the International System of Units; and

(c) Forward and after perpendiculars are located at the forward end and at the after end of the length. The forward perpendicular coincides with the foreside of the stem on the waterline on which the length of the vessel is measured.

§ 157.06 Appeals.

(a) Any person directly affected by an action taken under this part may request reconsideration by the Coast Guard official who is responsible for that action.

(b) Any person not satisfied with a ruling made under the procedure contained in paragraph (a) of this section may appeal that ruling in writing, except as allowed under paragraph (e) of this section, to the Coast Guard District Commander of the district in which the action was taken. The appeal may contain supporting documentation and evidence that the appellant wishes to have considered. If requested, the District Commander may stay the effect of the action being appealed while the ruling is being reviewed. The District Commander issues a ruling after reviewing the appeal submitted under this paragraph.

(c) Any person not satisfied with a ruling made under the procedure contained in paragraph (b) of this section may appeal that ruling in writing, except as allowed under paragraph (e) of this section, to the Assistant Com-

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mandant for Marine Safety, Security, and Stewardship (CG-5), U.S. Coast Guard, 2100 2nd St. SW., Stop 7355, Washington, DC 20593-7355. The appeal may contain supporting documentation and evidence that the appellant wishes to have considered. If requested, the Assistant Commandant for Marine Safety, Security and Stewardship (CG-5) may stay the effect of the action being appealed while the ruling is being reviewed. The Chief, Marine Safety, Security and Environmental Protection issues a ruling after reviewing the appeal submitted under this paragraph.

(d) Any decision made by the Assistant Commandant for Marine Safety, Security, and Stewardship (CG-5) under the procedure contained in paragraph (c) of this section is final agency action.

(e) If the delay in presenting a written appeal would have a significant adverse impact on the appellant, the appeal under paragraph (b) or (c) of this section may initially be presented orally. If an initial presentation of the appeal is made orally, the appellant must submit the appeal in writing within five days of the oral presentation to the Coast Guard official to whom the oral presentation was made. The written appeal must contain, at a minimum the basis for the appeal and a summary of the material presented orally.

[CGD 77-058b, 45 FR 43706, June 30, 1980, as amended by CGD 88-052, 53 FR 25122, July 1, 1988; CGD 96-026, 61 FR 33667, 33668, June 28, 1996; CGD 97-023, 62 FR 33364, June 19, 1997; USCG-2002-12471, 67 FR 41333, June 18, 2002; USCG-2008-0179, 73 FR 35015, June 19, 2008; USCG-2010-0351, 75 FR 36286, June 25, 2010]

§ 157.07 Equivalents.

The Coast Guard may accept an equivalent, in accordance with the procedure in 46 CFR 30.15-1, of a design or an equipment to fulfill a requirement in this part, except an operational method may not be substituted for a design or equipment requirement that is also required under the MARPOL 73/78.

[CGD 82-28, 50 FR 11625, Mar. 22, 1985, as amended by CGD 97-023, 62 FR 33364, June 19, 1997; USCG-2000-7641, 66 FR 55573, Nov. 2, 2001]